

NOT INCLUDED  
IN BOUND VOLUMES

PGB  
New Milford, NJ

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

800 RIVER ROAD OPERATING COMPANY, LLC  
d/b/a WOODCREST HEALTH CARE CENTER

Employer

and

Case No. 22-RC-073078

1199 SEIU, UNITED HEALTHCARE WORKERS EAST

Petitioner

**DECISION AND ORDER**

The National Labor Relations Board, by a three-member panel, has considered the Employer's objections to an election held March 9, 2012, and the Acting Regional Director's Report recommending disposition of them. The election was conducted pursuant to a Stipulated Election Agreement. The Tally of Ballots shows 122 votes for and 81 votes against the Petitioner, with 2 challenged ballots, a number insufficient to affect the results of the election.

The Board has reviewed the record in light of the Employer's exceptions<sup>1</sup> and brief, has adopted the Acting Regional Director's findings and recommendations, and finds that Employer's Objections 3 through 12 should be overruled.<sup>2</sup>

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<sup>1</sup> We have treated Employer's "Request for Review" of the Acting Regional Director's Report on Objections and Notice of Hearing as exceptions. See Casehandling Manual, Part Two, Representation Proceedings, Sec. 11394.5.

<sup>2</sup> The Acting Regional Director found that the Employer's Objections 1 and 2 raised substantial and material issues that could best be resolved based on record testimony at a hearing. On June 4, 2012, after a hearing was held, the hearing officer issued a report recommending that Objections 1 and 2 be overruled. Exceptions to the hearing officer's report are currently pending before the Board.

ORDER

IT IS ORDERED that the Employer's Objections 3 through 12 are overruled.

Dated, Washington, D.C., July 2, 2012.

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Mark Gaston Pearce, Chairman

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Richard F. Griffin, Jr., Member

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Sharon Block, Member

(SEAL)

NATIONAL LABOR RELATIONS BOARD